

## **REMARKS**

### **1. Status of Claims**

Claims 1-10 were examined and rejected by the Office. Claim 11 (renumbered) was examined by the Office and found to be free of prior art. Claims 1-10 have been withdrawn herein, without prejudice or disclaimer. Applicants reserve the right to file one or more divisionals to the subject matter of the withdrawn/ canceled claims. With this Amendment, claim 11 is pending.

### **2. Claim Objections**

The Office has objected to the numbering of claims is not in accordance with 37 CFR §1.126. Specifically, the Office has stated that previous claim 12 is misnumbered. The misnumbering of claim 12 was a typographical error. Applicant has made the appropriate correction in the Listing of the Claims above, so that the claim is in accordance with 37 CFR §1.126. Previous Claim 12 has been renumbered to Claim 11. Applicant requests the Office to enter the correction into the application accordingly. The Office has concluded that Claim 11 (renumbered) is seen to be free of prior art. (Office Action dated 01/11/2007, page 6). Reconsideration and allowance is respectfully requested.

### **3. Claim Rejections – 35 USC §112**

A. Claims 1-5 were rejected under 35 USC §112, first paragraph as allegedly not enabled by the specification as filed. While it is acknowledged that the specification is enabling for the conversion of the terminal hydroxyl group of an oligonucleotide into a phosphate monoester and its deprotection, the Office maintains the specification does not reasonably provide enablement for the removal of the phosphate protective groups and the base protective groups of the oligonucleotide in a single deprotection step as instantly claimed. (Office Action dated 01/11/2007, page 2).

With this Amendment, Applicants have withdrawn claims 1-5, therefore rendering the rejections moot. Applicants respectfully request reconsideration and withdrawal of the rejections to claims 1-5 under 35 U.S.C. §112, first paragraph.

B. The Office has rejected claims 1-10 under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In view that this Amendment, the rejections are rendered moot. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejections to claims 1-10 under 35 U.S.C. §112, second paragraph.

### CONCLUSION

In view of the foregoing, favorable reconsideration and immediate allowance of renumbered Claim 11 is respectfully requested. The Examiner is invited to contact the undersigned attorney should any issues remain unresolved.

In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. §1.136 for any necessary Extension of Time to make the filing of the attached or enclosed documents timely, the Commissioner is hereby authorized to charge any underpayment and credit any overpayment of fees to Deposit Account number 50-3332. Furthermore, if the papers herein are not considered timely filed, then a petition is hereby made under 37 C.F.R. §1.136 for the necessary extension of time.

Respectfully Submitted,

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**Via EFS-WEB**